

**Commonwealth of Massachusetts
Department of Telecommunications and Energy**

D.T.E. 01-34

Respondent: Karen K. Furbish

REQUEST: Department of Telecommunications and Energy Record Request to WorldCom, Inc.

DATED: May 30, 2002

ITEM: RR-DTE-5 Update the information contained in the Direct Testimony of Karen K. Furbish and WorldCom's responses to information requests VZ-WCOM 2-4 through VZ-WCOM 2-7 concerning ongoing special access proceedings in other jurisdictions. Provide copies of relevant state commission orders as applicable.

REPLY: **Texas:** No change in status.

Colorado: In VZ-WCOM 2-5, WorldCom attached a November 5, 2001 Order of the Colorado PUC affirming the "requirement [for Qwest] to monitor and report special access information" as part of its Performance Assurance Plan in Colorado. The Colorado PUC has since denied Qwest's petition for reconsideration of that Order. *In the Matter of the Investigation into Alternative Approaches for a Qwest Corporation Performance Assurance Plan in Colorado*, Docket No. 01I-041T, Decision on Remand and Other Issues Pertaining to the Colorado Performance Assurance Plan (adopted March 27, 2002), is attached hereto as Exhibit A.

Qwest's Performance Indicators Definitions document (the list of Qwest's performance metrics and attendant business rules) was to have been submitted to the Colorado PUC by Qwest this week. As of the time of the filing of this response, however, the document has not been filed by Qwest. When WorldCom comes into possession of Qwest's filing, we will supplement this response by providing a copy to the Department.

Minnesota: In VZ-WCOM 2-6, WorldCom attached a March 4, 2002 Order of the Minnesota PUC adopting WorldCom's June 26, 2001 metrics, under which Qwest is to report on its performance in provisioning Special Access to its wholesale

competitor-customers using WorldCom's original (pre-JCIG) metrics. Since then, the Minnesota PUC has issued an Order denying Qwest's Petition for Reconsideration of its March 4, 2002 Order. *In the Matter of Qwest Wholesale Service Quality Standards*, Docket No. P-421/M-00-849, Order Denying Reconsideration And Modifying Order On Own Motion (issued May 29, 2002), is attached hereto as Exhibit B.

Washington: In response to VZ-WCOM 2-6, WorldCom informed the Department that measurement and reporting of Qwest's Special Access performance was under review as part of the Washington Utilities and Transportation Commission's (WUTC) deliberations regarding a Section 271-related Performance Assurance Plan for Qwest. The WUTC has since adopted the Colorado special access performance metrics to measure Qwest's interstate and intrastate wholesale special access performance. *In the Matter of the Investigation into US West Communications, Inc.'s Compliance with Section 271 of the Telecommunications Act of 1996*, Docket No. UT-003022, 30th Supplemental Order, Commission Order Addressing Qwest's Performance Assurance Plan, is attached hereto as Exhibit C (see pages 29-32). The WUTC's denial of Qwest's petition for reconsideration regarding its special access reporting, 33rd Supplemental Order; Denying in Part and Granting in Part, Qwest's Petition for Reconsideration of the 30th Supplemental Order, is attached hereto as Exhibit D.

Indiana: No change in status.

Illinois: In response to VZ-WCOM 2-7, WorldCom informed the Department of the status of a proceeding established to implement a new state law requiring the Illinois Commerce Commission to adopt "carrier-to-carrier wholesale service quality rules." Since then, Illinois Commerce Commission staff has recommended including special access performance metrics in rules relating to wholesale carrier to carrier services. Parties' testimony in the proceeding is due by June 11, 2002. The ICC's final order is not expected until the Fall of 2002.

Tennessee: In response to VZ-WCOM 2-7, WorldCom informed the Department that a decision was pending in a proceeding in which WorldCom had proposed its own WorldCom-developed metrics, and Time Warner Telecom had subsequently proposed the Joint Competitive Industry Group (JCIG) metrics. The Tennessee Regulatory Authority (TRA) has since adopted a modified version of WorldCom's original (pre-JCIG) metrics. *In*

re: Docket to Establish Generic Performance Measurements, Benchmarks and Enforcement Mechanisms for BellSouth Telecommunications, Inc., Docket No. 01-00193, Order Setting Performance Measurements, Benchmarks and Enforcement Mechanisms (issued May 14, 2002), is attached hereto as Exhibit E; the original WorldCom metrics (*i.e.*, the metrics modified by the TRA's Order) are attached hereto as Exhibit F.

WorldCom has petitioned for clarification of the Order with respect to the three changes the TRA made to WorldCom's original special access metrics. BST also petitioned the TRA for reconsideration of the Order on a number of issues, but did not include any language requesting reconsideration of the imposition of interstate and intrastate special access reporting on BST. The WorldCom and BST motions can be found on the TRA's website at:

<http://www.state.tn.us/tra/orders/2001/010019379.pdf> (for WorldCom's motion), and;
<http://www.state.tn.us/tra/orders/2001/010019380.pdf> (for BST's motion).

Georgia: No change in status.

Maine: As part of its Order adopting a PAP for Verizon's Sec. 271-related obligations, the Maine PUC also accepted a voluntary agreement from Verizon to report certain New York Special Services Guidelines in Maine. *Inquiry Regarding the Entry of Verizon-Maine into the InterLATA (Long Distance) Telephone Market Pursuant to Section 271 of the Telecommunications Act of 1996*, Docket No. 2000-849, Findings Report (Apr. 10, 2002), is attached hereto as Exhibit G (see page 93). Verizon-Maine's "Special Services Performance Measures" are attached hereto as Exhibit H.

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ITEM: RR-VZ-1 (A) State the percentage of the DS-1s provisioned in Massachusetts for WorldCom by "CLEC X" that required a build out or construction of facilities. The reporting periods for this request are calendar year 2001 and the first quarter of 2002.¹

(B) State the percentage of the DS-1s provisioned in Massachusetts for WorldCom by other CLECs (*i.e.*, CLECs in addition to the carrier identified as "CLEC X" in WorldCom's proprietary response to VZ-WCOM 1-4) that required a build out or construction of facilities. The reporting period for this response is the first quarter of 2002; if no facilities were ordered in the first quarter of 2002, report for calendar year 2001.

REPLY: (A) None of the DS-1s provisioned in Massachusetts for WorldCom by "CLEC X" during calendar year 2001 or the first quarter of 2002 required a build-out or construction of facilities.

(B) There were no DS-1s or any other special access circuits provisioned in Massachusetts for WorldCom by any other CLECs in addition to "CLEC X" in the first quarter of 2002. To determine what was ordered in 2001 would require a special study that would take approximately six weeks to complete, involving the by-hand search for/review of paper records located in several different WorldCom ordering centers.

¹ According to the May 30, 2002 transcript of the proceedings, the request actually called for data from "the last 12 months and also for the first quarter of 2002". Tr. 440. In responding to this request, WorldCom will assume that the request was intended to mirror the time periods provided in WorldCom's proprietary response to VZ-WCOM 1-4, *i.e.*, calendar year 2001 and the first quarter of 2002.

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ITEM: RR-VZ-2 State whether the other CLECs that provide special access services to WorldCom in Massachusetts (*i.e.*, CLECs in addition to the carrier identified as “CLEC X” in WorldCom’s proprietary response to VZ-WCOM 1-4) provide circuits via 100 percent fiber facilities.

REPLY: No other CLECs in addition to “CLEC X” have provided special access services to WorldCom in Massachusetts during 2002. To determine what was ordered in 2001 would require a special study that would take approximately six weeks to complete, involving the by-hand search for/review of paper records located in several different WorldCom ordering centers. However, it should be noted that it is highly unlikely that any CLEC provisioning special access circuits would be doing so over copper-based loops.

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ITEM: RR-VZ-3 State the number of wholesale customers to whom WorldCom Provides special access services in Massachusetts.

REPLY: WorldCom has periodically provided special access-type services to three CLECs in total in Massachusetts. However, because two of the three CLECs are not electronically bonded with WorldCom, a manual search of paper records would be required to determine whether either or both of the two non-electronically bonded CLECs have recently ordered special access services from WorldCom. Therefore, WorldCom cannot state with certainty if it has recently provided special access services to more than one CLEC in Massachusetts.